

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire

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Attorneys for Secured Creditor

U.S. Bank National Association, as Trustee, for

Structured Asset Mortgage Investments II Inc., Prime

Mortgage Trust, Certificates, Series 2005-4

In Re:

Thomas Sabo,

Debtor.



Order Filed on February 4, 2021

by Clerk

U.S. Bankruptcy Court

District of New Jersey

Case No.: 18-16700 MBK

Adv. No.:

Hearing Date: 11/17/2020 @ 9:00 a.m.

Judge: Michael B. Kaplan

**AMENDED ORDER CURING POST-PETITION ARREARS & RESOLVING
CERTIFICATION OF DEFAULT**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: February 4, 2021

A handwritten signature in black ink, reading "Michael B. Kaplan".

Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Thomas Sabo

Case No: 18-16700 MBK

Caption of Order: AMENDED ORDER CURING POST-PETITION ARREARS & RESOLVING
CERTIFICATION OF DEFAULT

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, U.S. Bank National Association, as Trustee, for Structured Asset Mortgage Investments II Inc., Prime Mortgage Trust, Certificates, Series 2005-4, Denise Carlon, Esq. appearing, upon a certification of default as to real property located at 3419 Quaker St, Wall, NJ, 07719, and it appearing that notice of said certification was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Daniel E. Straffi, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of November 12, 2020 Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due March 2020 through November 2020 for a total post-petition default of \$25,353.35:

- 1 @ \$2,345.69 (March 2020)
- 1 @ \$2,329.43 (April 2020)
- 1 @ \$2,329.43 (May 2020)
- 6 @ \$2,533.66 (June – November 2020)
- 4 Agreed Order payments @ \$1,068.60
- 1 Agreed Order payment @ \$1,068.62
- Less suspense balance of \$2,196.18

It is **ORDERED, ADJUDGED and DECREED** that the debtor will make a lump sum payment of \$7,500.00 immediately; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$17,853.35 will be paid by Debtor remitting \$2,975.55 for per month for five months and \$2,975.60 for one month in addition to the regular monthly mortgage payment, which additional payments shall begin on December 1, 2020 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume December 1, 2020, directly to Secured Creditor's servicer, SPS, Inc. P.O. Box 65250, Salt Lake City UT 84165-0250 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

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Debtor: Thomas Sabo

Case No: 18-16700 MBK

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It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs up to the sum of \$350.00 in an amount to be included in a post-petition fee notice for attorneys' fees, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Certification of Default is hereby resolved.

In re:
Thomas Sabo
Debtor

Case No. 18-16700-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Feb 04, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 06, 2021:

Recip ID	Recipient Name and Address
db	Thomas Sabo, 3419 Quaker St, Wall, NJ 07719-4738

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 06, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 4, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo	docs@russotrustee.com
Daniel E. Straffi	on behalf of Debtor Thomas Sabo bktrustee@straffilaw.com G25938@notify.cincompass.com;familyclient@straffilaw.com;bktrustee@straffilaw.com
Denise E. Carlon	on behalf of Loss Mitigation Select Portfolio Servicing dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor U.S. Bank National Association as Trustee, et al... dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor U.S. Bank National Association as Trustee, for Structured Asset Mortgage Investments II Inc., Prime Mortgage Trust, Certificates, Series 2005-4 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Rebecca Ann Solarz	on behalf of Creditor U.S. Bank National Association as Trustee, et al... rsolarz@kmlawgroup.com

District/off: 0312-3

User: admin

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Date Rcvd: Feb 04, 2021

Form ID: pdf903

Total Noticed: 1

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8